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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,418	09/30/2003	Nathanael F. Ehrich	RSW920030221US1	6181
43168 7590 05/14/2007 MARCIA L. DOUBET LAW FIRM PO BOX 422859 KISSIMMEE, FL 34742			EXAMINER PAULA, CESAR B	
			ART UNIT	PAPER NUMBER
			2178	
			MAIL DATE	DELIVERY MODE
			05/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/675,418	Applicant(s) EHRICH ET AL.	
	Examiner CESAR B. PAULA	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,7-10,13-15,18-20,26,27 and 29-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 7-10, 13-15, 18-20, 26-27, and 29-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the amendment filed on 2/19/2007.

This action is made Final.

2. In the amendment, claims 33-34 have been added. 1, 7-10, 13-15, 18-20, 26-27, and 29-34 are pending in the case. Claims 1, and 26-27 are independent claims.

3. The rejections of claims 1, 7-10, 13-15, 18-20, 26-27, 29-30, and 33-34 rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (Pat.# 6,300,947 B1, 10/9/2001), in view of Hill et al, hereinafter Hill (Pat.# 6,023,714, 2/8/2000, as disclosed on pto-892 mailed on 11/1/2005), have been withdrawn as necessitated by the amendment.

4. The rejections of claims 31-32 rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky, in view of Hill, further in view of Hind et al, hereinafter Hind (Pat.# 6,463,440 B1, 10/8/2002), have been withdrawn as necessitated by the amendment.

Specification

5. The amendment to the specification filed on 2/19/2007 has been accepted, and entered by the Examiner.

Drawings

6. The drawings filed on 9/30/2003, and 1/31/06 have been accepted by the Examiner.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 7-10, 13-15, 18-20, 26-27, 29-30, and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky (Pat.# 6,300,947 B1, 10/9/2001); in view of Hill et al, hereinafter Hill (Pat.# 6,023,714, 2/8/2000, as disclosed on pto-892 mailed on 11/1/2005), and further in view of Butler (USPub. #2003/0167334 A1, 9/4/2003, filed on 1/24/2003, as disclosed on pto-892 mailed on 4/18/2006).

Regarding independent claim 1, Kanevsky discloses receiving a web page, having content, at a client. The web page contains CGI instructions for displaying it, and its components. The CGI instructions contain scripts which are programs indicating parameters, such as the type of computer, pc, laptop, etc., for the display of the web page by removing certain portions of the web page, which is adapted at the server – *a markup language document that specifies a web page for rendering on a display of the client device, wherein the*

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specification of the web page further comprises a component that forms a portion of the web page, for at least one component of the web pages rendering, on the display, the Web page with the selected view included therein as the portion and each non-selected one of the views omitted therefrom (col. 7, lines 57-col.8, line 42, fig.7, 10, 12).

Moreover, Kanevsky discloses interpreting URL instructions containing information regarding the content of web pages to determine whether or not the web pages meet certain criteria, such as a device characteristics-- *evaluating one or more factors to yield an evaluation result--* (col. 7, lines 57-col.8, line 42).

Moreover, Kanevsky discloses selectively displaying certain group of component(s) of the web pages received by a client computer from a server, such as icons, text, images, etc, based upon the interpretation of the URL instructions, and the device's characteristics-- *using the evaluation result to select a particular one of the plurality of alternative selectable views of a particular component, rendering on the display the web page with the selected view; receiving at the client device, syntax defining a plurality of alternative views of the component --* (col.7, lines 42-67, col.8, lines 44-67, col. 11, lines 1-62, col.2. lines 1-44, fig.10-15). Kanevsky fails to explicitly teach *receiving at the client device a markup language document comprising conditions under which each of the views should be selected for rendering; evaluating at the client device, and using the evaluation result at the client device.* However, Hill teaches a web page, which contains a layout generator, which determines the type of modification to be performed on the web page, to be displayed on a client, depending on the *conditions* or capabilities of a display device (col.9, lines 9-67, col.11, lines 4-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, and Hill, for

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all the reasons shown by Hill, including formatting a web page based upon the capabilities of a client device (col.2, line 1-24). This would provide an efficient method for optimizing web pages to conform to the capabilities of a display device.

Moreover, Kanevsky fails to explicitly teach *the specification of the Web page comprises, for a component that forms a portion of the Web page, syntax specifying a plurality of alternative selectable views of the component and conditions under which each of the views should be selected for rendering inclusion as the portion of the Web page*. However, Butler the inclusion of different versions of the same content, and capabilities required by a client device to display a web page, within the web page (parag.9-11). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, Hill, and Butler, for all the reasons shown by Butler, including enabling a user to assimilate content, and reducing the amount of stylesheets required to adapt content for various client devices(parag2, and 8). This would provide an efficient method for optimizing web pages to conform to the capabilities of a display device without the unduly tying up of resources.

Regarding claim 7, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions, and the device's characteristics—*the syntax specifying the plurality of alternative selectable views are specified using a scripting language syntax* -- (col. 11, lines 1-62, col.8, lines 16-34, fig.10-15).

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Regarding claim 8, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the web pages, such as icons, text, images, etc, split up in a hierarchical fashion, based upon the interpretation of the URL instructions, and the device's characteristics (col. 11, lines 1-62, col.2, lines 1-44, fig.10-15).

Regarding claim 9, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions—*executable logic*--, and the device's characteristics (col. 11, lines 1-62, col.8, lines 16-34, fig.10-15).

Regarding claim 10, which depends on claim 7, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions—*logic*--, and the device's characteristics (col. 11, lines 1-62, col.8, lines 16-34, fig.10-15).

Regarding claim 13, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions, and the device's characteristics—*dynamic factor pertaining to the client device* (col.8, lines 24-67, fig.10-15).

Regarding claim 14, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images,

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etc, based upon the interpretation of the URL instructions received over the Internet—*network--*, and the device's characteristics—*dynamic factor* (col.8, lines 24-67, col.4, lines 58-67, col.13, lines 31-67, fig.10-15).

Claim 15 is directed towards the steps found in claim 1, and therefore is similarly rejected.

Regarding claim 18, which depends on claim 15, Kanevsky discloses selectively displaying certain group of component(s) contained within the HTML web pages, such as icons, text, images, etc, into various pages based upon the interpretation of the URL instructions and the device's characteristics, such as screen size (col. 11, lines 1-62, col.8, lines 16-34, col.11, lines 14-67, fig.10-15).

Regarding claim 19, which depends on claim 15, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon priority, and the interpretation of the URL instructions and the device's characteristics, such as screen size (col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15).

Regarding claim 20, which depends on claim 1, Kanevsky discloses selectively displaying certain group of component(s) of the HTML web pages, such as icons, text, images, etc, based upon the interpretation of the URL instructions—*reference to logic --*, and the device's

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characteristics, such as an external pc, laptop, etc., which evaluate, and adapt the web page (col. 11, lines 1-62, col.8, lines 16-34, col.17, lines 1-67, fig.10-15).

Claims 26-28 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 1, 22, and 24 respectively, and therefore are similarly rejected.

Regarding claim 29, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., --*window size* (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15).

Regarding claim 30, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., --*a current display processing load on the client device* (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15).

Regarding claim 33, which depends on claim 1, Kanevsky discloses the grouping of a component from the web page into at least two different formats, such as text, graphics, graphics/text, etc., -- *a media format of content includable using a first of the alternative selectable views for the component is different from a media format of content includable using a*

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second of the alternative selectable views for the component (col. 7, lines 57-col.8, line 42, col.11, lines 1-col.12, line 67, fig.7, 10, 12).

Regarding claim 34, which depends on claim 1, Kanevsky discloses the grouping of a component from the web page into at least two different formats, such as text, graphics, graphics/text, etc., – *at least two of the alternative selectable views provide content for the portion in different media formats* (col. 7, lines 57-col.8, line 42, col.11, lines 1-col.12, line 67, fig.7, 10, 12).

Moreover, Kanevsky discloses the grouping, and displaying of a component from the web page into at least two different formats, such as text, graphics, graphics/text, etc., based upon the window size of at least two client devices– *the using step selects a first of the views when the evaluating step detects that a current window size of the display has a first value, the first of the views providing the content in a first media format; and further comprising the step of repeating execution of the evaluating, using, and rendering steps responsive to detecting that the current window size is subsequently changed to a second value, and wherein: the repeated execution of the using step selects a second of the views, the second of the views providing the content in a second media format that is different from the first media format* (col. 7, lines 57-col.8, line 67, col.10, lines 36-col.12, line 67, fig.7, 10, 12).

9. Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanevsky, in view of Hill, and further in view of Butler, as applied to claim 1 above, in view of Hind et al, hereinafter Hind (Pat.# 6,463,440 B1, 10/8/2002).

Regarding claim 31, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15). Kanevsky fails to explicitly teach *the one or more evaluated factors comprises applications currently executing at the client device*. Hind discloses ensuring that a specific browser is running on the device (col. 3, lines 12-48). In other words, this would exclude any other browser running in the device. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, Hill, Butler, and Hind for all the reasons outlined by Hind above, including reducing the cost of transmitting the document and increasing the likelihood that sufficient storage space will be available for receiving the document.

Regarding claim 32, which depends on claim 1, Kanevsky discloses splitting up a web page into hierarchically linked pages based upon the device's characteristics, such as screen size, pixel display area, etc., (col.8, lines 62-67, col. 11, lines 1-62, col.8, lines 16-34, col.2, lines 2-19, fig.10-15). Kanevsky fails to explicitly teach *the one or more evaluated factors comprises network connections currently open at the client device*. Hind discloses filtering images, audio, etc., from a markup document based upon a device's physical capabilities (col. 3, lines 12-48). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kanevsky, Hill, Butler, and Hind for all the reasons outlined by Hind above, including reducing the cost of transmitting the document and increasing the likelihood that sufficient storage space will be available for receiving the document

Response to Arguments

10. Applicant's arguments filed 2/19/2007 have been fully considered but they are moot in light of the new grounds of rejection above. The Applicant notes that there is no teaching in Kanevsky for receiving at the client device, syntax within the web page defining a plurality of alternative views of the component and conditions under which each of the views should be selected for inclusion as a portion of the web page (pages 12-17). The Applicant is directed toward the rejection of this limitation above in light of the newly applied prior art reference as necessitated by the amendment.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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I. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Dodge et al. (Pat. # 5,655,130), Lakritz (Pat. # 6,526,426), and Glenn et al. (Pat. # 6,606,544).

II. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 or 571 272-1000 (USA or Canada).

Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

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Alexandria, VA 22313-1450

Or faxed to:

- (571)-273-8300 (for all Formal communications intended for entry)



CESAR PAULA
PRIMARY EXAMINER

5/9/2007